

# HOUSE BILL 1334

E1, R3

2lr3059  
CF SB 944

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By: **Delegates McDermott and Cluster**

Introduced and read first time: February 16, 2012

Assigned to: Rules and Executive Nominations

Re-referred to: Judiciary, February 27, 2012

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Committee Report: Favorable

House action: Adopted

Read second time: March 18, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Life-Threatening Injury by Motor Vehicle or Vessel While Impaired by a**  
3 **Controlled Dangerous Substance – Penalty**

4 **(Ava’s Law)**

5 FOR the purpose of altering the penalty for causing life-threatening injury as a result  
6 of negligently driving, operating, or controlling a motor vehicle or vessel while  
7 impaired by a controlled dangerous substance; and generally relating to  
8 controlled dangerous substance offenses.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Law  
11 Section 3–211(f)  
12 Annotated Code of Maryland  
13 (2002 Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Criminal Law**

17 3–211.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (f) (1) This subsection does not apply to a person who is entitled to use  
2 the controlled dangerous substance under the laws of the State.

3 (2) A person may not cause a life-threatening injury to another as a  
4 result of the person's negligently driving, operating, or controlling a motor vehicle or  
5 vessel while the person is impaired by a controlled dangerous substance as defined in  
6 § 5-101 of this article.

7 (3) A violation of this subsection is life-threatening injury by motor  
8 vehicle or vessel while impaired by a controlled dangerous substance.

9 (4) A person who violates this subsection is guilty of a misdemeanor  
10 and on conviction is subject to imprisonment not exceeding [2] 3 years or a fine not  
11 exceeding [\$3,000] **\$5,000** or both.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.